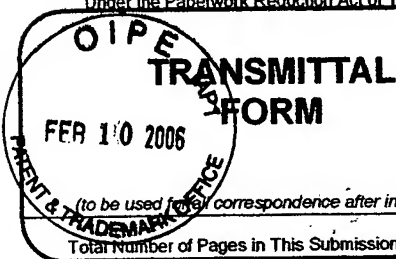


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PTO/SB/21 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031
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Total Number of Pages in This Submission

4

Application Number	10/796,616
Filing Date	03/09/2004
First Named Inventor	John Allan Grinstead
Art Unit	3677
Examiner Name	Jack W. Lavinder
Attorney Docket Number	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks Amended claims 1 - 4.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
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Date	X 2 '06 '06	Reg. No.	

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Response to a non-Final Office Action

Application SN 10/796,616

This communication is a response to a non-final Office Action having a mailing date of 01/06/2006 and setting forth a shortened statutory period for response of three months which would expire on 04/05/2006.

REMARKS

Claims 1 - 4 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The examiner states that "the claims state that the band has a U-shaped link. The drawings fail to disclose a U-shaped link". The examiner suggests changing "U-shaped" to "loop-shaped".

The applicant cannot agree with the examiner's holding at all. The drawings clearly show that the link 5 is of a U-shape. It is not an A-shape, it is not an E-shape or S-shape it is clearly a U-shape. The specification clearly calls this link 5 a U-shape link. It is pointed out to the examiner that it is well settled that the examiner can be his own lexicographer and the applicant prefers to call this link a U-shape which in fact it is. The examiner cannot hold the claims as vague and indefinite because of the use of this word "U-shape". It is also pointed out to the examiner that changing "U-shape" to "loop shape" is not supported by the specification. The use of the word "loop-shape" is a much broader definition than U-shape. A loop can be round, oval or even triangular. It is not the intention of the applicant to claim the link 5 that broadly.

In view of all of the above, the examiner is respectfully requested to reconsider the rejection under 35 U.S.C. 112 and allow the claims.